

FILED IN OPEN COURT
ON 10/3/14 SWT
Julie A. Richards, Clerk
US District Court
Eastern District of NC

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
SOUTHERN DIVISION
NO. 7:13-CR-132-FL

UNITED STATES OF AMERICA :
 :
 v. :
 :
 WILLIAM FERNANDO CARPIO :

PRELIMINARY ORDER OF FORFEITURE

In the Criminal Information in the above action, the United States sought forfeiture of property of the defendant, WILLIAM FERNANDO CARPIO, pursuant to 18 U.S.C. § 981(a)(1)(C) and Title 28, United States Code, Section 2461(c), as proceeds of the offense of the defendant as charged in the Criminal Information.

On February 21, 2014, the defendant entered into a Plea Agreement as to the Criminal Information and agreed to forfeit certain currency belonging to the defendant, William Fernando Carpio, to wit, \$354,180.40 seized from PayPal Account 1535965057256180013 in the name of William Carpio.

By virtue of the above-listed facts, the United States is now entitled to the defendant's interest in the subject \$354,180.40 seized from PayPal Account 1535965057256180013 in the name of William Carpio, pursuant to 18 U.S.C. § 981.

Accordingly, it is hereby **ORDERED, ADJUDGED AND DECREED** that:

1. Based upon the above-listed facts, the \$354,180.40 seized from PayPal Account 1535965057256180013 in the name of William Carpio is forfeited to the United States for disposition in accordance with the law, subject to the provisions of 21 U.S.C. § 853(n), as allowed by Fed. R. Crim. P. 32.2(b)(3). In accordance with Fed. R. Crim. P. 32.2(b)(4)(A), this Order is final as to the defendant upon entry.

2. That upon sentencing and issuance of the Judgment and Commitment Order, the Clerk of Court is directed to incorporate a reference to this Preliminary Order of Forfeiture in the applicable section of the Judgment, as required by Fed. R. Crim. P. 32.2(b)(4)(B).

3. Pursuant to 21 U.S.C. § 853(n), the United States shall publish notice of this Order and of its intent to dispose of the property in such manner as the Attorney General, the United States Department of Treasury, or the Director of the U. S. Department of Homeland Security directs, by publishing and sending notice in the same manner as in civil forfeiture cases, as provided in Supplemental Rule G(4). Any person other than the defendant, having or claiming any legal interest in the subject property must file a petition with the Court within 30 days of the publication of notice or of receipt of actual notice, whichever is earlier.

The petition must be signed by the petitioner under penalty of perjury and shall set forth the nature and extent of the petitioner's right, title, or interest in the subject property, and must include any additional facts supporting the petitioner's claim and the relief sought.

4. That upon adjudication of all third party interests this Court will enter a Final Order of Forfeiture pursuant to 21 U.S.C. § 853, as required by Fed. R. Crim. P. 32.2(c).

5. Any and all forfeited funds shall be deposited by the U.S. Department of Justice, as soon as located or recovered into the U.S. Department of Justice's Assets Forfeiture Fund in accordance with 28 U.S.C. § 524(c) and 21 U.S.C. § 881(e).

SO ORDERED.

This 3rd day of Jan, 2014.


LOUISE W. FLANAGAN
United States District Judge